

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 8:08CV00295
)	
BURKETT R. POWELL,)	
)	
Respondent.)	

ORDER TO SHOW CAUSE

Upon the petition of the United States, and the declaration and summons attached thereto,

IT IS HEREBY ORDERED THAT:

1. On the **18th day of September, 2008 at 1:00 p.m.**, the Respondent, Burkett R. Powell, shall appear before the District Court of the United States for the District of Nebraska in that branch thereof presided over by the Honorable Joseph F. Bataillon, the undersigned, in the Roman L. Hruska United States Courthouse, Courtroom 3, 111 South 18th Plaza, Omaha, Nebraska to show cause why Mr. Powell should not be compelled to comply with the Internal Revenue Service summons served on Mr. Powell on January 15, 2008.

2. On or before August 22, 2008, a copy of this Order, together with the petition and Exhibits thereto, shall be personally served on Mr. Powell, by an official of the Internal Revenue Service.

3. On or before September 2, 2008, Mr. Powell shall file with this court a written response to the petition. On or before the same date, Mr. Powell shall provide a copy of the written response to Laurie Kelly, Assistant United States Attorney, 1620 Dodge Street, Suite 1400, Omaha, Nebraska 68102.

4. Mr. Powell shall file with this court in writing any objections, defenses or motions he would like to present in opposition to the petition, if any, on or before September 10, 2008. On or before the same date, Mr. Powell shall provide a copy of the same to Laurie Kelly, Assistant United States Attorney, 1620 Dodge Street, Suite 1400, Omaha, Nebraska 68102. Only those issues raised by motion or brought into controversy by the responsive pleading shall be considered by the court and any uncontested allegations in the petition shall be deemed admitted.

5. If Mr. Powell has no objection to compliance with the summons, and agrees to in fact comply with the summons, Mr. Powell may, on or before September 10, 2008, notify the clerk of this court, in writing, with copies to the United States Attorney, of the fact that no response or appearance as ordered herein will be required.

DATED this 25th day of July, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge